

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 541 of 1996

Between:

Gottimukkala Veerab hadra Raju, S/o. Satyanarayanaraju,
R/o. Vempa, Bhimavaram Mandal,
W.G.District.

..... PETITIONER

AND

- 1 The District Collector,
West Godavari District at Eluru.
- 2 Revenue Divisional Officer,
Bhimavaram, W.G.District.
- 3 Mandal Revenue Officer,
Bhimavaram.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction or any appropriate writ more particularly in nature of Writ of Mandamus declaring the action of the respondents in granting pattas in Sy.No.545 of Tundurru (V) Bhimavaram Mandal, W.G.District, as illegal, arbitrary and violative of principles of justice and for a consequential order directing the respondent to drop all further proceedings in this regard and to pass such other order or further orders as this Hon'ble Court deems fit and proper. Else the petitioner will be put to irreparable loss and hardship.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORDER:

In this writ petition, the petitioner questions the action of the respondent-authorities in choosing the land admeasuring Ac.1-45 cents covered by Sy.No.545 of Tundurru Village, Bhimavaram Mandal of West Godavari District for grant of pattas to the landless poor and weaker sections of the society.

It is the case of the petitioner that there are three water bodies in the said survey number, which are the only sources of irrigation to the surrounding lands, and as such assignment of the said land is prohibited. In spite of submitting representation to the Mandal Revenue Officer, he has not considered the same. Hence, this writ petition is filed.

Though the writ petition is of the year 1996, no counter-affidavit is filed on behalf of the respondents. Further, even the representation alleged to have been submitted to the third respondent-Mandal Revenue Officer by the petitioner and two others is also not in clear terms.

In that view of the matter, I dispose of the writ petition permitting the petitioner to file another representation before the third respondent within a period of four weeks from the date of receipt of a copy of this order, if he is having any objections for grant of assignment of the land covered by the said survey number. If such a representation is filed within the stipulated time, and if the pattas are not granted as on today, the respondents are directed to consider the same regarding the objections of the petitioner for the proposed assignment in the said survey number.

Subject to the above directions, the writ petition is disposed of. No order as to costs.

R.SUBHASH REDDY, J

22.02.2005

DR

To

- 1 The District Collector,
West Godavari District at Eluru.
- 2 Revenue Divisional Officer,
Bhimavaram, W.G.District.
- 3 Mandal Revenue Officer,
Bhimavaram.

4 2 CCs to Government Pleader for Revenue, High

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